

**IN THE U.S. DISTRICT COURT FOR MARYLAND,  
SOUTHERN DIVISION**

**BEYOND SYSTEMS, INC.**

Plaintiff

v.

**WORLD AVENUE USA, LLC, et al.**

Defendants

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**Case No. PJM 08 cv 0921**

**MOTION FOR EXTENSION OF TIME**

Plaintiff, Beyond Systems Inc. ("BSI"), and third-party defendants, Hypertouch, Inc. and James Joseph Wagner, move for a short extension of time for their responses to pending discovery requests.

On February 4, 2011, both sides propounded written discovery requests (two sets by plaintiff to defendants; eight sets by defendants to Plaintiff and the third-party defendants), and have since agreed to mutual extensions of the response dates, most recently to April 1, 2011.

Counsel have been engaged in discussions about discovery issues, including possible modification of the current discovery schedule, and remain unable to agree on some of those issues as of this writing. Movants seek an extension of time independently of other pending issues between and among the parties.

Movants have nearly completed their responses but are still in the process of compiling and Bates numbering thousands of additional pages for production in response to the outstanding discovery requests.

The extension sought will not work undue prejudice against any party, and should not affect any other aspect of the schedule, which has already been modified and is in the process of further modification if the parties are able to reach agreement and if the Court approves of the

proposed changes.

As of this writing, movants have asked for Defendants' consent to a further extension of the response date to Defendants' requests that were issued on February 4, 2011, to the new date of Wednesday, April 6, 2011, but have not yet received that consent. Movants will continue to seek consent, and will supplement this motion with an additional certificate of good faith efforts, but also wish to make this formal request in timely fashion.

For context, Defendants have propounded to movants the following discovery requests:

INTERROGATORIES, WAUSA to BSI, Set 1, dated July 15, 2009 (1-17)

DOCUMENT REQUESTS, WAUSA to BSI, Set 1, dated July 15, 2009 (1-20)

DOCUMENT REQUESTS, WAUSA to BSI, Set 2, dated July 15, 2009 (1 – 39)

INTERROGATORIES, WAUSA to BSI, Set 2, dated February 18, 2010 (1-11)

DOCUMENT REQUESTS, WAUSA to BSI, Set 3, dated February 18, 2010 (1 – 15)

DOCUMENT REQUESTS, WAUSA to H, dated February 18, 2010 (1-15)

DOCUMENT REQUESTS, WAUSA to JW, March 19, 2010 (1 – 30)

INTERROGATORIES, WAUSA to BSI, Set 3, dated March 19, 2010 (1 – 12)

DOCUMENT REQUESTS, WAUSA to BSI, set 4, dated 3/29/10, (1-23)

DOCUMENT REQUESTS, WAUSA to BSI, set 5, dated July 13, 2010, (1-11)

INTERROGATORIES: WAH to BSI dated February 4, 2011 (1-25)

INTERROGATORIES: WAH to Hypertouch, set 1 dated February 4, 2011 (1-23)

INTERROGATORIES: WAH to James J. Wagner dated February 4, 2011 (1-25)

INTERROGATORIES: WA to Hypertouch dated February 4, 2011 (1-22)

INTERROGATORIES: WA to James J. Wagner dated February 4, 2011 (1-25)

DOCUMENT REQUESTS: WAH to B dated February 4, 2011 (1-27)

DOCUMENT REQUESTS: WAH to James J. Wagner, dated February 4, 2011 (1-27)

DOCUMENT REQUESTS: WA to Hypertouch, set 2 dated February 4, 2011 (1-4)

Wherefore, movants request an extension of time to Wednesday, April 6, 2011 for their responses to Defendants' discovery requests propounded February 4, 2011.

\_\_\_\_\_/s/  
Stephen H. Ring  
**STEPHEN H. RING, P.C.**  
506 Main Street, Suite 215  
Gaithersburg, Maryland 20878  
MD Bar Id. No. 04731764; USDC, MD: #00405  
Telephone: 301-563-9249

\_\_\_\_\_/s/  
Michael S. Rothman  
401 E. Jefferson Street, Suite 201  
Rockville, MD 20850  
Phone: (301) 251-9660  
Fax: (301) 251-9610

*Attorneys for Plaintiff*

**Certificate of Service**

I certify that a copy of the foregoing documents was served on the date of ECF filing, via the ECF system, on all counsel of record.

\_\_\_\_\_/s/  
Stephen H. Ring